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on July 14, 2006.

PATENT  
Attorney Docket No.: 022128-000130US

TOWNSEND and TOWNSEND and CREW LLP

By: *Jo Ann Evangelista*  
Jo Ann Evangelista

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

William Malecki et al.

Application No.: 10/787,532

Filed: February 25, 2004

For: ENERGY BASED DEVICES  
AND METHODS FOR  
TREATMENT OF PATENT  
FORAMEN OVALE

Customer No.: 20350

Confirmation No. 1226

Examiner: Peffley, Michael F

Technology Center/Art Unit: 3739

**PRELIMINARY AMENDMENT AND  
RESPONSE TO RESTRICTION  
REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed June 14, 2006 , please enter the following  
amendments and remarks:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 5 of this  
paper.

**Amendments to the Drawings** begin on page 25 of this paper and include replacement sheets.

**Remarks/Arguments** begin on page 26 of this paper.

An **Appendix** including amended drawing figures is attached following page 27 of this paper.